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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,905	12/31/2001	Sushma Shrikant Trivedi	4860.P2694	3342

7590

04/04/2005

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EXAMINER

TUNG, KEE M

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/038,905	TRIVEDI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kee M Tung	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,9,16,18,25,31,33,34,36,43,49,51,52,54,61,67,69,70 and 72 is/are rejected.
- 7) ☒ Claim(s) 2-8,10-15,17,19-24,26-30,32,35,37-42,44-48,50,53,55-60,62-66,68,71 and 73-78 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/31/01</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Double Patenting*

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1, 9, 16, 18, 25, 31, 33, 34, 36, 43, 49, 51, 52, 54, 61, 67, 69, 70 and 72 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 33, 37, 43, 46, 48, 50, 52, 55, 58, 61, 63, 65, 67, 70, 73 and 76 of U.S. Patent No. 6,697,076. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of present application would have been obvious in view of the patent claims because the claims in the present application is broad than the claims in the patent, for example.

P. N. 6,697, 076 (claim 33)	S. N. 10/038,905 (claim 25)
<b>A method, in a processor having a cache coherent interface and a cache non-coherent interface, the method comprising:</b>	<b>A method</b> in a computer system having at least one host processor with host processor cache and host memory coupled to a chipset <b>having a cache coherent interface and a cache non-</b>

	<b>coherent interface</b> , the method comprising:
<b>receiving a memory access request</b> for translation of a logical address to a physical address;	<b>receiving a memory access request</b> from a computer engine;
translating the logical address to the physical address through a memory mapping mechanism;	
<b>determining</b> whether the physical address is configured for <b>cache coherent memory access</b> ;	examining the memory access request to <b>determine whether the memory access request is target for cache coherent access</b> ;
wherein <b>if</b> the physical address is configured for <b>cache coherent memory access</b> , transmitting the <b>memory access request to the cache coherent interface</b> ; and	wherein <b>if the memory access request is targeted for cache coherent access</b> , transmitting the memory access request to <b>the cache coherent interface</b> ; and
wherein <b>if</b> the physical address is configured for <b>cache non-coherent memory access</b> , transmitting the <b>memory access request to the cache non-coherent interface</b> .	wherein <b>if the memory access request is targeted for cache non-coherent access</b> , transmitting the memory access request to <b>the cache non-coherent interface</b> .

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kee M Tung whose telephone number is 571-272-7794. The examiner can normally be reached on Tuesday - Friday from 5:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kee M Tung  
Primary Examiner  
Art Unit 2676